

1 P R O C E E D I N G S

2 - - -

3 CHAIRMAN KARR: Okay. I'm going
4 to call the meeting for the Liberty Township
5 Zoning Commission for August the 16th to
6 order. I'll remind everybody that is here,
7 make sure you have signed in with your name
8 and address, please. I'm going to ask you to
9 turn off all your cell phones or silence them.

10 Mary Beth, would you call the
11 roll, please?

12 MS. ROBINSON: Bonnie Goodson.

13 MS. GOODSON: Here.

14 MS. ROBINSON: Joe Karr.

15 CHAIRMAN KARR: Here.

16 MS. ROBINSON: Suzanne Vais.

17 MS. VAIS: Here.

18 MS. ROBINSON: Jerry Beigel.

19 MR. BEIGEL: Here.

20 MS. ROBINSON: Amy Wilson.

21 MS. WILSON: Here.

22 CHAIRMAN KARR: Okay. Five of us
23 are present tonight. It will require three to
24 pass any Motion.

1 If it would, please, I'd like to
2 have -- and I'd like to introduce Mary Beth
3 Robinson, who is the Zoning Secretary. And
4 somewhere Staci Hood, who is the Zoning
5 Officer. And Julia, I cannot remember your
6 last name.

7 MS. DONNAN: Donnan.

8 CHAIRMAN KARR: Okay. Who is the
9 legal counsel for the Township. And the young
10 lady on the end.

11 MS. ROBINSON: Jennifer.

12 CHAIRMAN KARR: Jennifer, she is
13 the Court Reporter, that will take all the
14 meeting minutes for this evening. So anything
15 you say, it will be in the record. The last
16 ones were, what, 119 pages, so anyway. Okay.

17 Okay. Whether you plan on giving
18 any testimony tonight, I would ask that you
19 please stand. I'm going to swear you in,
20 whether you plan on speaking tonight or not.
21 Okay.

22 Do solemnly swear that the
23 testimony you may be about to give will be the
24 truth, the whole truth and nothing but the

1 truth, so help you God? If so, please answer
2 "I do".

3 ALL: "I do."

4 CHAIRMAN KARR: Okay. Those of
5 you who are not sworn in, you will not be
6 permitted to speak tonight. Okay. We will
7 limit, because of the size of the crowd, we're
8 going to limit discussion to one person per
9 address. So when you come up to speak at the
10 microphone, please give us your name and your
11 address, if you would. Okay.

12 Mary Beth, would you please read
13 the first application, which is a continuation
14 from last month.

15 MS. ROBINSON: Continuation of DPV
16 #23-12 submitted by Rockford Homes, Inc. and
17 Clarkshaw Reserve I LLC requesting to amend
18 the Preliminary Development Plan for Clarkshaw
19 Reserve as it applies to their properties
20 which are as follows: 3318 Hyatts Road,
21 Powell, Ohio 43065, which is 42.786 acres and
22 owned by Rockford Homes, Inc. and 3183
23 Clark-Shaw Road, Powell, Ohio 43065, which is
24 87.471 acres and owned by Clarkshaw Reserve I

1 LLC to revise the site layout. This
2 130.3-acre Planned Residence zoned subdivision
3 is located in Range 19, Township 4, Section 3
4 Liberty Township, Delaware County, Ohio.

5 CHAIRMAN KARR: Okay. Would the
6 presenter for the applicant please step
7 forward.

8 Mr. Karr, Zoning Commission, Steve
9 Cuckler, 94 North Sandusky Street, Suite 101,
10 Delaware, Ohio 43015. I'm here on behalf of
11 the applicant, as well as EPCON. Appreciate
12 your time this evening. I'm just going to hit
13 a few things and then I'm going to turn it
14 over to Mr. Faris, who will go into a little
15 more of granularity based on some of the
16 questions that you had last meeting.

17 So again, just to refresh
18 everybody's memory from last meeting, right,
19 we're updating the -- the request in front of
20 you is to update the Preliminary Development
21 Plan and the action on that Preliminary
22 Development Plan. We still have to come back
23 in front of you to finalize the Final
24 Development Plan with more granularity. So

1 again, we are asking for an update to the
2 Preliminary Development Plan, which would
3 replace the Rockford Single Family Homes with
4 this EPCON product.

5 So just by way, just to get a
6 couple of administrative things out of the
7 way, one of the questions that was asked at
8 the last meeting was the fact that this is
9 Planned Residential, can we do this? Is that
10 possible? Obviously, you know, the answer is
11 yes. And in fact, just based on some initial
12 analysis of Liberty Township, there's an EPCON
13 development called Bradford Court here in
14 Liberty Township, in which the Single Family
15 Planned Residential zoning was used. Results
16 of another example, thanks to Staci actually
17 finding this one, Woodcrest Crossing, in
18 which that is a Planned Residential
19 development that includes condominium
20 products.

21 CHAIRMAN KARR: If I can interrupt
22 you for a minute, Mr. Cuckler. Ms. Hood.

23 MS. HOOD: Yes.

24 CHAIRMAN KARR: What did you find,

1 because you and I have talked about that
2 particular one, Woodcrest Crossing.

3 MS. HOOD: Oh, just for -- to give
4 a little background and clarification for
5 Woodcrest, when it -- when they applied, it
6 was October 2015. It was under the old Zoning
7 Resolution Code 2004 when we did not have
8 PMFR. So it was zoned PR, only because of
9 that, there wasn't the option of PMFR. That
10 didn't come in until November 2015. And the
11 Trustees approved Woodcrest in September of
12 '16, but again, it was under the old Code 2004
13 with just PR.

14 CHAIRMAN KARR: Okay. Just for a
15 point of clarification for the record.

16 MR. CUCKLER: Sure. Not a
17 problem.

18 CHAIRMAN KARR: Okay.

19 MR. CUCKLER: And then there's
20 countless examples throughout Delaware County
21 and Central Ohio that was used and is common.
22 Again, the Preliminary Development Plan that
23 is in front of you today that we're asking to
24 be amended is for the entire Clarkshaw

1 Reserve, which is bigger than just the EPCON
2 proposal. Right. So, the goal is to try to
3 preserve the northern portion of Clarkshaw
4 Reserve from a zoning standpoint with its
5 massive green spaces, etc. without contingent
6 -- I think someone mentioned last meeting
7 start pulling the strings of different things
8 and then we have a very messy, ball of yarn.
9 So that's why, so I just wanted to put that
10 out there.

11 A couple of things that were asked
12 at the last meeting were, can you put together
13 a board list, a map of all the various other
14 developments in and around the area. That was
15 put together. Mr. Faris has that and will
16 present that. You will see just a quick
17 summary, that this density is on average, if
18 not lower than most of the other densities in
19 and around that area. But we'll get into more
20 granularity on that with Mr. Faris.

21 The second question was, I believe
22 Ms. Goodson had asked the question and I think
23 it was Jerry that might have chimed in about a
24 bike path. So we are willing to -- we have

1 some options to show and I think, again, some
2 -- that's easier said than done because
3 there's easements and water lines and sewer
4 lines and you know, it's a little more
5 complicated, but we're willing to commit to a
6 hard surface bike path that would connect per
7 the guidance that you all ask us. and Mr.
8 Faris will run through a couple of those
9 options. He probably won't be able to
10 finalize the exact option until we come in
11 front of you on a final development plan
12 because it's not as simple as just, you know,
13 putting a path wherever we want to put it,
14 right, there's a lot going on.

15 The second thing was asked about
16 adding some buffer around the clubhouse to,
17 you know, kind of add some buffer between this
18 new clubhouse and existing neighbors. So Mr.
19 Faris will explain what we've done on that.

20 And so those were some of the big
21 questions that were asked for us to look at.
22 We've addressed that in that packet that we
23 presented, but I'll turn it over to -- you're
24 probably sick of listening to me, so I'll let

1 Mr. Faris, because he's more eloquent and
2 articulate than I am, so I'll turn it over to
3 him to maybe get into some of the details.

4 CHAIRMAN KARR: Thank you.

5 MR. FARIS: Good evening. I'm
6 Todd Faris with Faris Planning and Design,
7 4876 Cemetery Road, Hilliard, Ohio. And I
8 would say that I'm not more articulate than
9 Steve Cuckler, but that's okay.

10 So Mary Beth already has this
11 drawing up. This was the Exhibit that you
12 guys had asked for us to put together that
13 show the surrounding densities. And with
14 Clarkshaw Reserve with the EPCON development,
15 we're at 2.19 acres net density, because you
16 guys have your net density. I know that we
17 did a breakdown. Staci had asked for a
18 breakdown between the North and the South. I
19 don't have those figures with me. I think
20 Anna may have brought those, but we provided
21 those as well. And I think we're still pretty
22 low density. The single family to the north
23 is about one unit per acre net. And the
24 condominiums are about three units per acre

1 net, so not a drastic difference if you start
2 looking at all the stuff that's around here.
3 We're right in the middle of everything.
4 We're not over anybody. And we've got very --
5 but most of them are higher. So we took a
6 look at that so you guys could study that as
7 well.

8 You also asked us to go through
9 the divergences and list them. And that was
10 -- it was more of a daunting task than I
11 thought because there was the old Code, and
12 then you guys have made a few revisions since
13 this has been done. And so what we have is --
14 with the old Code we were able to take out
15 four of the divergences, and plus there's been
16 shipping of the product, but there's four new
17 ones, and I just wanted to go through them.
18 And you guys have this chart. But we tried to
19 color code it and show the previous approved
20 divergences were in blue, and then also
21 crossed out the ones that we don't need
22 anymore, and then additional divergences. And
23 the additional divergence is really only
24 pertain to this product in particular since

1 it's a condominium. And one of these
2 divergences there was a question of whether or
3 not it even needs to apply, but I know that
4 Tracy used to enforce this this way, so we've
5 always included it that way. Her and I
6 disagreed on it, but I've just, you know,
7 whatever.

8 So, but the driveway location,
9 we've been able to get rid of that. We don't
10 have that situation where we're any closer
11 than 40 feet at T intersections. Structure
12 Separation, we had a reduction already granted
13 of 10 feet between units or five-foot side
14 yards on the single family, but we're asking
15 for 10 foot between the condominiums, and that
16 sort of falls into the Structure Separation.

17 The Pond Size, that existing pond
18 is built. You know, it's over two acres. It's
19 a large pond, so those divergences still
20 apply. I missing something here. All right.
21 So the minimum setback distances 7.09.D, your
22 Code says that anywhere from a Class B roadway
23 we have a 60-foot setback from the centerline.
24 Now, it has the section in it that says, as

1 approved by the Delaware County Engineer, so I
2 think it really applies to CADs and public
3 streets, but Tracy always applied it to
4 anything that was applied as a street as well,
5 because it says applied as streets. And we
6 always had to ask for a divergence on all of
7 the EPCON products. We had to ask for a
8 divergence on Sara Crossing. We had to ask
9 for -- just because that was the way that she
10 interpreted it, so whatever. So we're asking
11 for a divergence 30 feet from the centerline
12 of our streets on the condominium projects
13 only.

14 CHAIRMAN KARR: I'm going to ask
15 Mr. Vaughn a question.

16 MR. CUCKLER: I believe -- I would
17 actually prefer to -- and this is Don, and I
18 believe that because these will be private
19 streets, it will be as per planned and not a
20 divergence necessary.

21 MS. DONNAN: Correct. And that's
22 what Staci and I were just discussing. Yes.

23 CHAIRMAN KARR: Okay. I was more
24 interested in -- I was trying to remember if

1 Hyatts was on the Delaware County Engineers
2 list of roads to be widened down to Steitz.

3 MR. FARIS: Well, yes. And that's
4 a Class A road.

5 CHAIRMAN KARR: Right. Okay.
6 That's what I was --

7 MR. FARIS: So Section 7.15.B.2,
8 we discussed this briefly last time, that the
9 fence height and setbacks. Since we have the
10 courtyards, we seal them in. They want them
11 more private so we have a fence at the front
12 of the house, fence at the back of the house.
13 Your Code doesn't -- says we have to start at
14 the back, so we need to ask for a divergence
15 on that, and we're asking that for only single
16 family condominiums. We wouldn't apply that
17 to the single family homes.

18 The next sheet, we've got to get
19 rid of all kinds of fences and wall setback
20 divergences related to the 7.15.E Section

21 10.07.B.1 Density, that was a
22 divergence that was previously asked for, but
23 we've asked for an increase from 1.73 to 2.19
24 units per net developable acre to revert back

1 to this plan.

2 Minimum Lot Sizes, this was
3 actually a previous divergence because we have
4 gone from 55 -- the minimum lot size of 55 by
5 30, which was already improved, but when we
6 get into single family condominiums, there are
7 no lot sizes. There's only one lot, right.
8 So we need to reiterate that divergence.

9 Setback Requirements, the side
10 yard setbacks have been reduced from 25 feet
11 to five feet. So that's one that was granted
12 before. We needed to add on -- I think this
13 is one where we needed to add on to it,
14 because what we -- when we started looking at
15 the multifamily, not multifamily, the
16 condominiums, there's other properties that
17 were adjacent to that aren't zoned that
18 because they're FR-1. And we noticed that we
19 had applied a 10-foot setback to those and we
20 needed to have 25 feet, and I don't think it's
21 fair that we ask for a reduction against other
22 properties that aren't internal to this
23 property. So you'll see a slight change in
24 the plan because of that. But while we're

1 still asking for a divergence of 10 feet
2 against that condominium line, but say to
3 allow for the setbacks that EPCON uses with
4 the five foot side and the 10 foot rear,
5 unless we're adjacent to it. And it's really
6 only one property and I can point to that when
7 we get onto the plan.

8 To clarify that, Building Design,
9 Vinyl Siding, that was granted, two instances
10 for the southern portion and the northern
11 portion at the .044 mm, that is 6-inch width.
12 And we only need to apply that to the single
13 family lots because EPCON will have
14 cementitious siding and wood.

15 Lot Bearings, we asked for a
16 divergence on that at the preliminary
17 development submission, because it makes no
18 sense because it's going to change guaranteed
19 between now and the final.

20 Free Standing Signs in all Zoning
21 District, and again, this is one that was
22 granted before, permanent entrance signs at
23 the entrance to be allowed on each side of the
24 street. Sign area will not exceed the total

1 allowed if these signs were allowed to be
2 double-sided signs. We want them on both
3 sides.

4 Subdivision Sale Signs, we asked
5 that we can have those prior to the platting
6 and to keep them til 95 percent of the lots
7 are sold for homes. Or actually, that's the
8 last one. So the first one was the 95 percent
9 of the units sold. And then we have to be
10 able to put those temporary marketing signs
11 before a plat has been recorded. those were
12 all approved before.

13 CHAIRMAN KARR: Point of
14 clarification on that, Todd.

15 MR. FARIS: Yeah.

16 CHAIRMAN KARR: This is not just
17 for the condominiums, this is for the single
18 family.

19 MR. FARIS: Yes, this would be for
20 both.

21 CHAIRMAN KARR: Okay.

22 MR. FARIS: Yes.

23 CHAIRMAN KARR: Just wanted to
24 make sure.

1 MR. FARIS: Go to the next plan.
2 So this is the plan you have in your packet
3 today. And I want to go up to the screen so I
4 can guide and point a little bit, but I'll
5 show you where some of the modifications
6 happened. This piece of ground is zoned FR-1
7 right here. So this is not zoned anything
8 right now, just the way it is. And we needed
9 to apply a 25-foot setback to that, but when
10 we laid this out originally, we didn't account
11 for that so we had these units here and these
12 units here too close to that property line.
13 We had it 10-feet away. We found that when we
14 were starting to go through those divergences.
15 So, to clean that up, we had to
16 eliminate a unit up here and we had to shift
17 some stuff around to accommodate that, which
18 we were able to do, so we lost a unit through
19 that so you'll notice that there is one lot
20 loss so we wouldn't have to ask for that
21 divergence. This also shows that we have
22 moved the clubhouse more central and we have
23 lots on the side of it. And that's actually
24 in response to the neighbors that are here

1 tonight because they didn't want to have the
2 activity area next to theirs because they
3 bought homes that were going to be backing
4 onto open space, so we were able to do that.

5 This also indicates of one
6 potential configuration of a bike path. And I
7 want to pass out this handout. We've got
8 three other iterations under potential. And
9 what I want to show you is that we've got many
10 different ways that we can accomplish this
11 bike path. What we have on the plan tonight
12 is probably not going to be warmly received by
13 the neighbors, so I wanted to show other
14 options tonight and be able to work this out
15 between now and the Final Development Plan.
16 So, if you can go to the next slide.

17 This shows the basic path
18 configuration that's on your plan tonight,
19 where it shows the continuation of the bike
20 path that goes through there and down the side
21 of the property and then ties into Hyatts
22 straight down. It's a pretty straight shot.

23 CHAIRMAN KARR: Can you stop on
24 that one there for a second, Todd.

1 MR. FARIS: Sure.

2 CHAIRMAN KARR: The bike path then
3 is going to go between lots 87 and 132? See
4 where the blue line heads into that wetland?

5 MR. FARIS: Yes.

6 CHAIRMAN KARR: Do you see the red
7 line across the street?

8 MR. FARIS: Yeah.

9 CHAIRMAN KARR: Okay. That's in
10 between two lots right now.

11 MR. FARIS: Correct.

12 CHAIRMAN KARR: Okay. Is there
13 going to be an adequate size path so that
14 those two lots are not --

15 MR. FARIS: Yes, because they're
16 separated. There is a separation between
17 there other than just the 10 feet.

18 CHAIRMAN KARR: Width of the path,
19 okay.

20 MR. FARIS: Yes. And that's where
21 that was planned originally and we kept that
22 space through there.

23 CHAIRMAN KARR: Right.

24 MR. FARIS: And so that's Option

1 A. Option B is one that takes it more like
2 where it's at today where we have it, but we
3 reinforce it by building a bike path along the
4 internal street versus sidewalk, and then it
5 comes by the clubhouse and then it goes along
6 the entry drive out on the highways. It's
7 pretty clean.

8 C is where we actually bring it
9 over here and then bring it over by the
10 western edge, which actually gets you to
11 interface a little bit with the pond and a
12 community garden. And then it takes you out
13 onto Hyatts without actually going out that
14 main entrance point, which that could be
15 beneficial, too.

16 And then D, which is another one,
17 that just goes straight down behind the back
18 of these things and comes out there. But
19 again, that might have opposition for the
20 neighbors because they weren't told about it.
21 So, but what I'm trying to show is that we've
22 got a lot of options to get this done and we
23 need to get vying from the neighbors to figure
24 out which one is the right one, so everybody

1 is happy. It's probably B or C, would be my
2 guess.

3 But we've got lots of
4 opportunities to do this, to get that bike
5 path done. There's a commitment from EPCON
6 that we would delineate that and that would be
7 a wider path than just your normal five-foot
8 sidewalks. We just want to be able to study
9 it right and make sure affected neighbors are
10 comfortable.

11 And I think that's all that I have
12 got to share with you tonight, on my end. I
13 know there's probably many questions. Yes.
14 And Jason is here to answer questions.

15 MR. COFFEE: Jason Coffee of EPCON
16 Communities, 500 Stonehenge Parkway, Dublin,
17 Ohio.

18 I want to kind of reiterate --
19 obviously, we have a lot of neighbors here
20 tonight, and then probably because option A
21 would have been submitted. We had a meeting,
22 obviously, A or D was not discussed. It's not
23 our preference and I don't think the neighbors
24 preference. So I think -- well, I guess we

1 want to say, as Todd mentioned, our commitment
2 is to some hard service from what Rockford
3 committed to basically from here through the
4 process of here and out to here. We still
5 want to accomplish that. We're here to commit
6 to accomplish that. But we don't think from
7 the back of our homes to the back of their
8 homes is the right location. But we do think
9 there's an opportunity here to get that park
10 service sidewalk bike path to connect single
11 families to the north and to the bike path at
12 Hyatts. So that's the big picture.

13 We did -- the last time I was here
14 we talked about the neighborhood meeting and I
15 know the neighbors showed up. The fact
16 they're here tonight is probably because of
17 the bike path. I could be wrong. But as Todd
18 mentioned, there was a lot of discussion
19 before. I don't know if we have the old
20 Rockford. A couple things came up, all this
21 traffic that came up. I remember the old
22 Rockford subdivision pretty much had a
23 straight public street that went from here to
24 here. There was some dialogue during there

1 that a little concern raised here that is that
2 going to divert more traffic to their
3 community. I think our view, not everyone
4 totally agreed, but I think our view was this
5 straight shot from here is going to dump a lot
6 more people out there today and no one's
7 really going to cut through here to get to
8 here, so therefore, we felt that the traffic
9 impacted that intersection much less, even
10 though we have more units, but the traffic use
11 and the fact we have the street broken up so
12 much, as someone that's here is going to go
13 out to Hyatts or Steitz and out not trying to
14 work through this to get down here.

15 CHAIRMAN KARR: Yeah.

16 MR. COFFEE: So, is somebody ever
17 going to do it, I'm sure, but by and large, we
18 think we'll be happier as a much better use
19 for the neighbors and from a traffic
20 standpoint.

21 So one of the things we talked
22 about, and Todd mentioned that one of the
23 mentions the neighbors had or did have, is the
24 clubhouse over here. They wanted to have some

1 more screening and buffering and we agreed
2 to -- and again, some of this will be worked
3 out during Final Development Plan. And a lot
4 of the other discussions were more probably
5 situated with their community, but I think
6 those were the big items that you might take
7 away from what we made some adjustments for as
8 well. They may have other items tonight as
9 well. But I want to make sure that they heard
10 from me that that was not the intent of having
11 A as the preferred option for a bike path.
12 That's not what we want. There's got to be a
13 better place, but we do think it makes sense
14 to have some hard service. The single family
15 down on the bike path on Hyatts, that you guys
16 are going to join them, too, as well.

17 But like Tom said, we're here to
18 answer questions and look forward to
19 continuing development. Thank you.

20 CHAIRMAN KARR: Okay. Does the
21 applicant have anyone else who would like to
22 speak this evening for now? Okay.

23 Okay. Any resident that would
24 like to speak, please come forward, state your

1 name and address.

2 MR. MCCORY: Hi. My name is Kevin
3 McCory. I live at 6022 Ludwig Street, Powell,
4 Ohio. And we do have some concerns here.

5 I know that he was talking about
6 the residents being able to go out different
7 areas there. But from what we see here right
8 now, there is only one egress in and out of
9 both communities, which is Gorsuch. That is,
10 to us, that's not acceptable. I mean, once
11 both places are totally built out, you're
12 going to have 200 plus residents in and out of
13 that one entrance and exit area.

14 And the other problem that we have
15 with that is the fact that we have school
16 children that live in our community. And
17 because the streets are so small and narrow,
18 the school buses cannot go down through our
19 neighborhood to pick up the kids; therefore,
20 the parents have to bring them out to Gorsuch
21 in Hyatts Street to be picked up, which is a
22 major pain, I'm sure, for those families that
23 have to do that. So now if you've got all
24 these people leaving in the morning to go to

1 work or whatever, you know, and then you have
2 the school-aged kid sitting out there waiting
3 for the school bus, I see that as a major
4 problem, especially in the wintertime.

5 So I think there needs to be
6 another way in and out of that new community
7 that's going to be built there, another, you
8 know, entrance access point for them to get in
9 and out, other than just that one point. I
10 mean, yeah, there's a place to the north of
11 that, but the people that live down south of
12 it, they're not going to drive north to get
13 out of there if they're going south.

14 Okay. The other problem we have,
15 or the other concern we have is the fact that
16 I know the guys from EPCON are saying that
17 they don't think that the people from the new
18 community are going to use our community to
19 leave that subdivision. But we can see that
20 it's going to happen, especially those people
21 that live along this area right in here.
22 These people that live right along in here,
23 this is more of a straight shot, right
24 straight out than to come down around this way

1 and around. And this street here is straight
2 away and the speed limit is only 14. Well,
3 right now we still -- we have a major problem
4 right now with people driving 25 - 30 miles an
5 hour through the subdivision, let alone
6 somebody that has a straight shot to go right
7 straight out. And the majority of the
8 school-aged kids live on that street. So, you
9 know, we just see that as a big problem;
10 therefore, there needs to be another entrance
11 and exits to that subdivision.

12 The other thing that we have
13 concern with is there's nothing that shows any
14 type of construction access to the new
15 subdivision. And we know right now that the
16 contractors that are building in plat 2 in our
17 subdivision can't read because they totally
18 ignore the construction signs and they drive
19 right through plat 1 with their big cement
20 trucks and their dump trucks that are fully
21 loaded and we already have our final grade
22 pavement down. We were told that when that
23 happened, that they would not be using those
24 streets. They're still using. Okay. So I

1 can see the same exact thing happening, these
2 guys driving in, going around through our
3 neighborhood with their cement trucks and dump
4 trucks and driving down Ludwig Street to get
5 back into the subdivision. That's not
6 acceptable. There needs to be some something
7 on there that shows where they're going to
8 have a construction road That, you know, these
9 guys can get in and out. And they're not
10 creating an issue for us getting in and out of
11 our sub.

12 I mean, there's already an issue
13 going out of there now where, I don't know
14 who's doing it, but there's a mound of dirt
15 that's probably two, two-and-a-half storeys
16 high right now in the field where this new sub
17 is going to be built and they're constantly
18 bringing dump truckloads of dirt in and out of
19 there. And when it's raining and muddy, that
20 stuff is all over the front of the subdivision
21 and gets tracked into where we live and ends
22 up in our garage and stuff. I can see the
23 same thing happening when they start doing the
24 new sub, so. We'd just like to see some

1 clarification as to where they're going to
2 have this construction road, so that this
3 doesn't happen.

4 The other thing was, I think there
5 was mention that the streets are going to be
6 private now, because originally they weren't
7 going to be public. Is that correct?

8 MR. CUCKLER: They're private.

9 MR. MCCORY: They're going to be
10 private now. So, where Ludwig Street stops
11 for us right now in plat 1, you guys are going
12 to be building more houses at the end of
13 Ludwig Street and then going into the new
14 subdivision where the pond is at and the
15 trees, right. So, are the people who live in
16 the new subdivision, are they going to be
17 responsible for that part of the road, or is
18 there going to be some kind of an agreement
19 between the two communities to take care of
20 the snow plowing and stuff there.

21 MR. COFFEE: The new subdivision
22 will take care of that.

23 MR. MCCORY: Okay. So, being
24 someone that used to be a snowplow driver, I

1 can see where they would end up pushing the
2 snow from that street down into our area, or
3 the guys in our area pushing the snow into
4 their area. So, I think there needs to be
5 some way to be able to have these guys
6 separate that so that they -- that that's not
7 happening. I don't know if there's anyway to
8 put like a common area down there where they
9 have space to put some snow or anything like
10 that. I don't know.

11 Let's see, what else do we got
12 here. You already talked about the walkway,
13 which that walkway or pathway there A, that
14 was going to be totally unacceptable to us
15 because the it's right in everybody's back
16 yards, right down Ludwig Street there, so
17 hopefully that's not what happens. But you
18 know, we definitely would like to see
19 something different than that

20 Oh, yeah. There was a concern
21 about the utilities when these new houses and
22 soon subdivisions going in, where are the
23 utilities going to come from that hook up to
24 these new houses? Are they going to be coming

1 off of Hyatts Street, the many lines are
2 coming in off of Hyatts Street? Or are they
3 going to try to pick up off of the end of
4 Ludwig Street where the utilities are there,
5 or how is that going to happen?

6 MR. CUCKLER: We'll address all of
7 your questions when you're done. No problem.
8 Okay.

9 MR. MCCORY: I think that's it.

10 CHAIRMAN KARR: Anything else?

11 MR. MCCORY: With everything going
12 to be private now, we had talked about a gate
13 going across Ludwig Street down there at the
14 end with everything is going to be private now
15 instead of public, so. I don't know if
16 something like that would be necessary
17 anymore.

18 Was there any kind of a traffic
19 study done along Hyatts Street to accommodate
20 all this new construction and stuff that's
21 going on? I mean, not only is there a
22 Courtyard on Hyatts there, these new
23 communities going in. Right across the street
24 you have 235 new apartments and condos over

1 there. You have the Pulte Division right
2 there. And all that stuff is within a quarter
3 of a mile and right now you have at least five
4 different entrances coming onto the Hyatts
5 road. And the speed limit along Hyatts in
6 that area is 50 miles an hour, so.

7 CHAIRMAN KARR: And I can answer
8 that question. Yes, there was a traffic study
9 done.

10 MR. MCCORY: Okay. And what was
11 found out about it?

12 CHAIRMAN KARR: Well, I'm not
13 going to read through eight pages of it.

14 MR. MCCORY: Well, you don't need
15 to. I mean, can you just give a summary of
16 it?

17 CHAIRMAN KARR: It basically said
18 there's going to have to be additional left
19 and right turns at Hyatts, okay, at the
20 entrance to your subdivision.

21 MR. MCCORY: Okay.

22 CHAIRMAN KARR: Okay.

23 MR. MCCORY: So is that why the
24 utility poles have been moved back now so that

1 they can widen Hyatts and put in the turn
2 lanes?

3 CHAIRMAN KARR: I would imagine,
4 yes.

5 MR. MCCORY: Okay. Any idea when
6 that would take place?

7 CHAIRMAN KARR: No, I have no
8 idea. The County engineering is out of our
9 jurisdiction.

10 MR. MCCORY: Okay. I understand.

11 CHAIRMAN KARR: I will tell you,
12 though, if you look at that potential access
13 street out to Steitz, okay, the extension of
14 Steitz that runs north, right between Steitz,
15 that access street and that wetland, okay, at
16 one time Delco planned to put a water tower in
17 there.

18 MR. MCCORY: Nice.

19 CHAIRMAN KARR: Okay. Because of
20 water pressure because of all the home in that
21 area.

22 MR. MCCORY: Okay. So has that
23 been scrapped or --

24 CHAIRMAN KARR: I have no idea.

1 MR. CUCKLER: It's still planned.

2 CHAIRMAN KARR: Okay. It's still
3 planned.

4 MR. MCCORY: Still planning on
5 putting a water tower in there?

6 CHAIRMAN KARR: No, they don't,
7 Delco Water Company does.

8 MR. MCCORY: Yeah, I know.

9 CHAIRMAN KARR: Because, well,
10 it's no different than if you go across east
11 of Sawmill Parkway on Hyatts, there's a gray,
12 two-story house on the north side there, just
13 beyond the intersection.

14 MR. MCCORY: Yeah.

15 CHAIRMAN KARR: That house is
16 scheduled to be torn down and Columbia Gas
17 Company is putting a pump station in there.

18 Oh, special, so we could all blow
19 up at anytime then.

20 CHAIRMAN KARR: Just don't like a
21 match.

22 MR. MCCORY: Okay.

23 CHAIRMAN KARR: Yeah, so I mean,
24 you're going to see, I mean, Columbus

1 Southern, AEP, Ohio Power, they've already
2 done a lot of work in their power substations
3 to increase, you know --

4 MR. MCCORY: There's going to be a
5 lot more building going on in the area.

6 CHAIRMAN KARR: And you are aware,
7 and I'm just going to so you're aware,
8 Olentangy School System owns two parcels north
9 of you, one into Southwest corner of
10 Bean-Oller and Sawmill Parkway. It's about 25
11 acres, if I remember right.

12 MR. MCCORY: Northwest corner?

13 CHAIRMAN KARR: Southwest corner.

14 MR. MCCORY: Southwest corner,
15 okay, yes, that's a farm field.

16 CHAIRMAN KARR: Okay. That's
17 enough for an elementary school. They own 53
18 acres, if I remember right, at the northwest
19 corner of Bunty Station and Sawmill Parkway,
20 which is enough for a middle school. Now,
21 that's in Delaware Township.

22 MR. MCCORY: Yeah.

23 CHAIRMAN KARR: You know, so, as I
24 tell people, you know, the County didn't

1 spend, the State didn't spend millions of
2 dollars to build a four-lane divided highway,
3 you know. It's going to get developed, as
4 much as we have third and fourth generation
5 farmers that their kids don't --

6 MR. MCCORY: Let me ask you this.
7 Right at the corner of Sawmill Parkway and
8 Hyatts on the northeast corner there, that
9 farm piece there.

10 CHAIRMAN KARR: OhioHealth owns 18
11 acres of that. That was just transferred to
12 them about, I don't know, it's been within the
13 last ten months, I think it is. They're
14 looking to build an ambulatory facility there.
15 Just like Ohio State University is down here
16 at Powell and everything.

17 MR. MCCORY: Because I see there's
18 like 18 to 20 acres for sale just on the other
19 side of the woods of that.

20 CHAIRMAN KARR: Yeah, you're going
21 to see a lot of, you know, in all honestly we
22 were fortunate in that there's a foundation
23 out of Lancaster, Ohio, the Streams and
24 Wetland Foundation, Ford Road where it goes

1 west makes a curve north that goes into Bunty
2 Station, if you haven't been up there, you got
3 to drive up there, it's getting to the point
4 it's grown up now, you can't see them, nut
5 there's thousands of pink flags out there.
6 They bought that as a wetland land bank.
7 Okay.

8 MR. MCCORY: Oh, yeah.

9 CHAIRMAN KARR: And there's 100
10 acres that's in Concord and 50 acres of it is
11 in Liberty area, and they've already started
12 building artificial streams and ponds and
13 everything else in there.

14 MR. MCCORY: Okay.

15 CHAIRMAN KARR: So, we were
16 fortunate in that case. That land will not be
17 developed.

18 MR. MCCORY: I se, Yeah. Okay.
19 One last thing, any idea when they're going to
20 start, Columbus Gas is going to start that?

21 CHAIRMAN KARR: No. The house is
22 still.

23 MR. MCCORY: Yeah, the house is
24 still there.

1 CHAIRMAN KARR: They've owned it
2 for almost, I think almost a year now.

3 MR. MCCORY: Yeah. When is that
4 new shopping supposed to go in at Hyatts and
5 Liberty Road?

6 CHAIRMAN KARR: I don't know of
7 any shopping plaza at Liberty and Hyatts.
8 Maybe at Sawmill and Clarkshaw.

9 MR. MCCORY: No, it's at the
10 corner of Hyatts Road and Liberty Road. It's
11 on the southwest corner.

12 CHAIRMAN KARR: No, not going to
13 happen. Yeah, that's Vaughans. It was not so
14 much shopping centers. It was to be a
15 landscaping business.

16 MR. MCCORY: because when I looked
17 on the --

18 CHAIRMAN KARR: Mr. Vaughn. He's
19 not related to the Vaughans that we're talking
20 about, just clarification here.

21 MR. VAUGHN: If I can just
22 respectfully give kind of a redirect.

23 CHAIRMAN KARR: Yeah.

24 MR. VAUGHN: I'd rather not talk

1 about other economic development opportunities
2 that are occurring and focuses on this
3 application that's before you this evening.

4 CHAIRMAN KARR: Yeah, I agree.

5 MR. VAUGHN: Okay. All right.

6 Thank you.

7 CHAIRMAN KARR: And in answer to
8 some of your questions, we can't address them
9 and you're going to have to deal with
10 specifically EPCON.

11 MR. MCCORY: Yeah. Okay. All
12 right. Thank you. Appreciate your time.

13 MR. COFFEE: And I'll try to deal
14 with a couple of these. A lot of these
15 discussions were the things that came up
16 during our neighborhood meeting as well.

17 Some of the commitments we made
18 there, we talked in terms of, and again, a lot
19 of this is also to your point ultimately going
20 to be Final Development Plan issues. We're
21 going to meet with the neighbors and come
22 back.

23 CHAIRMAN KARR: Right.

24 MR. COFFEE: Whether it be a

1 construction access off here. We talked about
2 extending that and using that as a
3 construction access, maybe even an emergency
4 access. Can we go back to the Rockford? Can
5 you find the original Rockford layout? We had
6 some discussions last time. I think it's what
7 we use to -- it's page 16 or something like
8 that. And I'll make this pretty quick just
9 because I know we went over it last time, but
10 I think it's important that the neighbors hear
11 it and that way we're all hearing the same
12 thing now.

13 MS. ROBINSON: That's all I have.

14 MR. COFFEE: There we go. And
15 again, so we met with the neighbors. This is
16 what we spend a lot of time with the neighbors
17 on. This was the original Rockford layout.
18 You see the street layout. And these were for
19 public streets at the time, there was a street
20 connection here. It's still here today with
21 this -- they mentioned about the straight
22 street, but there's no public street. And
23 there was one public street. So there is one
24 access point again for everything, so

1 everything from a street standpoint stayed the
2 same with the street connections that were
3 approved originally. So we wanted to make
4 sure you guys okayed the street connection to
5 stay within that. But we thought as opposed
6 to having these kinds of situations where it's
7 a straight shot, straight shot, a bunch of
8 traffic, getting -- these folks may want to go
9 here and add more traffic to the intersection,
10 we felt like what we have done from a design
11 standpoint, one, these are now private.
12 We've -- the public street stops here. This
13 is a cul de sac, with some discussion with
14 neighbors, but it's going to be private street
15 off the end. So are people going to want to
16 live here or are they going to go up to Steitz
17 and down? I think that's what most people
18 will think. Trying to navigate through here
19 is not going to be easy for anybody that's not
20 in this community. So we felt from a traffic
21 standpoint, from an impact standpoint, the
22 neighbors, as well as this intersection here,
23 the amount of traffic we've created is a lot
24 less than a typical single family so we felt

1 there was a lot of positives that were coming
2 out of that.

3 CHAIRMAN KARR: If I remember from
4 the last presentation last month, I guess it
5 was, when they went from a public street, the
6 private houses to the condominiums and private
7 streets, there was going to be a sign or an
8 entrance, something there, an entrance,
9 something that said private community or
10 something. Am I remembering that right, Todd?

11 MR. COFFEE: I don't Remember that
12 necessarily.

13 CHAIRMAN KARR: Maybe I was
14 thinking we should.

15 MR. COFFEE: No. I think this was
16 originally gong to be a public, build a public
17 street.

18 CHAIRMAN KARR: No, I mean when
19 you took over for the condominiums up there
20 that there would be a demarcation that said --

21 MR. COFFEE: Now, that cul de sac,
22 that probably would be something that might,
23 you're probably right, the Final Development
24 Plan, the County here may want to say, here's

1 the limits of our public street and that's
2 what we're going to take care of and then they
3 will get a sign up for that.

4 CHAIRMAN KARR: Private Community
5 or something.

6 MR. COFFEE: Yeah. It would be
7 something saying from here on it's going to be
8 a private street, so I see that coming up as
9 well.

10 MR. MCCORY: Can I ask you a
11 question here?

12 CHAIRMAN KARR: Okay. Just if you
13 would come back up to the microphone again.
14 Name and address again, I'm sorry. It's just
15 that we have to make sure --

16 MR. MCCORY: Sure. No worries.
17 6022 Ludwig Street, Powell, Ohio.

18 And what you have here on your
19 Proposed Preliminary Plan here, why couldn't
20 this street here, right here, why couldn't
21 this street be extended out to Hyatts so this
22 is another egress here to eliminate some of
23 the traffic over here?

24 CHAIRMAN KARR: It's a County

1 Engineer issue.

2 MR. COFFEE: Yeah. The County is
3 not going to let multiple access points and
4 they're in the middle of from basically just
5 traffic from Sawmill Parkway to Steitz, all of
6 that pipe is going to be expanded out to three
7 lanes. So they're going to watch where they
8 have the connections right now, which is what
9 was approved. The County Engineer approved
10 these connections, which is why we kept them
11 where they were because they're going to want
12 those kept. So we kept them the same to
13 accommodate what the County Engineer will do
14 from approval on Hyatts.

15 MR. MCCORY: Okay. But from what
16 I was stating earlier, I don't see where this
17 is going to help our community at all, which
18 is the one egress in and out. I mean, you're
19 looking at a huge amount of traffic in and out
20 of there. Like I said, when the school kids
21 have to be out there during the school, you're
22 waiting on the school bus to come pick them up
23 and it's going to be right at rush hour when
24 people are leaving to go to work. It's going

1 to be a huge issue out there, I believe.

2 MR. COFFEE: Well, I think the
3 steps we've had before was single family does
4 have rush hour traffic. We have less the
5 traffic, less kids. You may have some kids in
6 your community, but you're not going to see a
7 number of kids as 86, 84 homes at Rockford.
8 So I think the traffic standpoint, the amount
9 of traffic influenced with the bus route is
10 completely different with the same access
11 point, and I think you will have a better
12 view. The number of cars leaving at that
13 point is going to be much less when we're done
14 here because we're also cutting off this
15 access here that this public road is no longer
16 going to go through. So it's going to go
17 through from a connections, connectivity
18 standpoint, but not the traffic compaction.

19 MR. MCCORY: I can see your point
20 with what you're seeing there because at the
21 time that was a public access, right.

22 MR. COFFEE: Right. Yeah.

23 MR. MCCORY: So then the school
24 buses could get back in there and pick those

1 kids up. But the school buses cannot get into
2 our community to come pick the kids up. The
3 roads are too narrow and too small for them to
4 come in there. And they told the kids -- they
5 told the parents they have to bring them out
6 the Hyatts to pick them up. And I'm sorry, I
7 just see that as a major issue here. I mean,
8 the last thing -- I don't have kids that are
9 doing this. I have neighbors that have kids
10 that are doing this.

11 MR. COFFEE: And this is the first
12 time we've heard this component. Obviously,
13 working with the Fire Department, they have
14 the fire turning radiuses and things like
15 that. We'll get with the school system and
16 find out what we can do differently and what
17 they -- I mean, if there's kids in there, we
18 want to make sure they get a bus. I can't
19 respond tonight. You're saying this guy, but
20 I've not heard that, either from the school
21 district or even why that's taking place. And
22 it may be because of the streets. It may be
23 because of construction currently. It may be
24 more of an issue that construction, they can't

1 get there because of all of the construction
2 traffic, but once it's done, they should be
3 able to navigate through there, but we'll do
4 some research in there and find out.

5 MR. MCCORY: Yeah, Because I know
6 school is getting ready to start here this
7 week. And especially now with all these dump
8 trucks running in and out that have built this
9 giant mound of dirt there, there's --

10 MR. COFFEE: That's Rockford doing
11 it. That's our property. We're okay with it
12 as well. There's going to be future use
13 there.

14 MR. MCCORY: Yeah. The problem
15 is, is right where the kids have to sit is
16 where these dump trucks are rolling in and out
17 there, I mean, all day long, so.

18 MR. COFFEE: That's something
19 we'll address during final development.

20 MR. MCCORY: Okay. Appreciate it.

21 MR. CUCKLER: And just to chime in
22 on the schools, we're more than happy, we'll
23 get before final -- sorry, just trying to call
24 it final.

1 CHAIRMAN KARR: I just need your
2 name and address for the record again.

3 MR. CUCKLER: Steve Cuckler, 94
4 North Sandusky Street, Delaware, Ohio, 43015.

5 Right, so we'll commit before
6 final development and we'll sit down with the
7 facilities, folks there and transportation
8 folks and Mr. Meyer at Olentangy, so that is
9 us coming up. And that's a potential other
10 issue that perhaps we can figure out on behalf
11 of the schools. We have a great working
12 relationship with the schools.

13 I do know there was one question
14 about snow removal. I just wanted to address
15 that. It was an issue about, you know, the
16 existing EPCON of plow truck stopping and it's
17 not going to happen. You might just want to
18 kind of --

19 MR. COFFEE: Well, we mentioned
20 last time, there will be two separate
21 condominium associations.

22 MR. MCCORY: I remember, you're
23 the snow captain for your address.

24 MR. COFFEE: Absolutely. You're

1 going to have a snow captain for the one next
2 door. I bet you guys can figure that out and
3 have a line so it will go up -- so it will be
4 two separate folks. And I think that --
5 again, we're going to be obviously just like
6 you were here and we're involved with the
7 Board here for a little bit longer, we're
8 going to be involved with the Board there, so
9 we're going to have a relationship with them.
10 So if somebody is plowing snow on your
11 property, they'll call us and we'll figure
12 that out. So I don't think that's something
13 we'll have to -- I mean, I'm not saying it's
14 going to be perfect, but we will figure that
15 out and make that work.

16 MR. MCCORY: Well, it will be
17 perfect because I'll make sure it is.

18 MR. COFFEE: Well, there you go.

19 CHAIRMAN KARR: Problem resolved.

20 MR. CUCKLER: Do you want to be
21 captain over there, too?

22 MR. MCCORY: No.

23 CHAIRMAN KARR: Do we have any
24 other resident comments, please? Okay. Board

1 comments, please.

2 MS. GOODSON: Yes. I just want to
3 say that listening to the audience
4 participants for people living in this area, I
5 can relate to every single issue you're
6 talking about pretty much, except for snow
7 removal. And I guess nothing against the
8 developers or anything like that. I'm not out
9 to -- but the plans look good on paper when
10 you do them. And you talk about, and I
11 mentioned it, I don't know how many times over
12 the past ten years, how do you keep a
13 community 55 and older. You can't keep a
14 community 55 and older because you cannot be
15 discriminatory to who you sell to, so hence
16 the children come.

17 Where I live on Steitz Road, and
18 I'm on the very south end of Steitz, we have
19 two Pulte Home developments there, one, the
20 similar type of we'll take 55 and older,
21 across the road we have the family homes.
22 Now, we have this kind of intersection where
23 people are pedestrianizing, their dogs, their
24 bicycles all across Steitz Road. Well, you --

1 and our -- Powell made it 35, but I'm probably
2 the only one that goes 35, and I won't say I'm
3 perfect at it. The other part of the road to
4 get to Home is 45. Nobody goes, besides my
5 husband and I, and like I say, we're not
6 perfect at it, but goes 45. They go more like
7 65 to 75. And so any issues that you have
8 with cement trucks, seeing them, I'm yelling,
9 I yell at people. They probably think that a
10 crazy woman, was it you that I yelled at, that
11 -- because I am so aggravated about going to
12 the mailbox and worrying that I'm going to get
13 hit. It is -- and I'm worrying about myself,
14 but I have grandchildren and you know, they're
15 there.

16 They come and I happen to do a
17 little leisurely drive thru in the 55 and
18 older group and a lot of people had their
19 garages open and I just love to look inside
20 garages and I saw lots of tricycles. I saw
21 lots of kids. Now, it could be Grandma and
22 Grandpa, you know, babysitting, but these kids
23 look a pretty solid foundation of maybe
24 spending a lot of time there. And so I can

1 appreciate almost everything, except for the
2 snow removal, we have our own little housing
3 thing and snow removal for our thing, but I am
4 really concerned, but I don't know what to do
5 about it. Because we're taking small plats,
6 plat isn't the -- but sections of land and
7 different companies are coming in. It's not
8 like they're all sitting down at tables and
9 we're working it all out. Let's work it all
10 out til we get to 42, and then it will all be
11 coordinated and then we'll all have Columbus,
12 you know, and Southern and we'll have AEP and
13 everybody will again -- the sewer, we'll have
14 the sewer going in the right direction and
15 with enough force and we can build water
16 towers, because it takes that to satisfy us
17 all. And so I am really concerned. And I
18 don't know what the answer is.

19 I thought your point about having
20 another access in there is really great, but I
21 don't see how it can happen. I don't. I'm
22 sorry to say that I'm not. I just want you to
23 know that you have some very valid points.
24 And you all are going to have to live with it

1 or move, you know, after things are built out.

2 You know, I mean, we come and try to make
3 good decisions. You give us your input. We
4 listen. They listen. The developers listen
5 and the builders listen, but still some of the
6 stuff, there's no real easy answer to it and
7 sometimes not.

8 So, anyway, with that, I do want
9 to say my own thing. I like your bicycle Plan
10 C. Oh, okay, I see some people out there that
11 agree with me. I like C. I don't know. It
12 isn't just a way to get to one point to
13 another on the bicycle. Sometimes it's
14 because you want to listen to the birds in the
15 morning and wave at your neighbor and that
16 kind of thing. And I think C has a meandering
17 enough, you know, thing to make a nice bicycle
18 ride, plus be utilitarian.

19 Yeah, so anyway, I appreciate the
20 work that's been done and thoughts and
21 hopefully they're listening to you all enough.
22 But that's all I have to say. I just want to
23 say you've hit the nail on the head, but I
24 don't know what we're going to do. I'm not

1 sure there's a hammer out there that's going
2 to work.

3 CHAIRMAN KARR: Okay. Suzanne.

4 MS. VAIS: I just had a question
5 regarding the bike paths as well. I think I
6 also prefer C, but in the Staff Report there
7 were a couple suggestions of additional
8 connections. Are you open to those? I don't
9 know if you had a chance to look at the map
10 that was attached to the Staff Report. Just
11 connecting some of those black to the red
12 through the -- and then connecting it to
13 Steitz Road. It's something to consider
14 incorporating into your plan, as we move to
15 Final Development Plan.

16 MR. COFFEE: And again, we're
17 committed to work with staff and folks here,
18 the neighbors, to get a really hard surface
19 from the stuff that was done before up here
20 and probably in some of the comments, but
21 obviously we're being connected in here
22 because we've got a connection out here.
23 We're going to connect down here through some
24 combination of C and what kind of works. So

1 what other maybe specific there was a
2 location, but we were definitely getting from
3 here down to here and out to here through
4 sidewalk, bike path.

5 MS. VAIS: Okay. So I think a
6 Final Development plan would be helpful to
7 delineate where it's a sidewalk and where it's
8 a bike path and where we have a transition,
9 that will be helpful to understand that flow.

10 MR. FARIS: Todd Faris. Suzanne,
11 the one that's up here, that I think we can
12 even work with Pulte on that and -- that makes
13 sense. And this one down here, they probably
14 won't move between those two lots, but they'll
15 work with us for sure.

16 MS. VAIS: But something similar.

17 MR. BEIGEL: How about out to
18 Steitz where the yellow is there, the
19 connection up in the top left?

20 MR. CUCKLER: Connect to Steitz, is
21 that what you're --

22 MR. BEIGEL: Yeah, I'm just
23 looking at that yellow area, which is still
24 part of that. How do we get a bike path that

1 connects the communities there?

2 CHAIRMAN KARR: Well, it's a
3 public road in there.

4 MR. FARIS: Well, it's a public
5 road, but one side of that, we'll just turn it
6 into a bike path instead of a sidewalk issue.
7 I think it's that simple when we bring it in
8 for the Final Development Plan.

9 CHAIRMAN KARR: For the Final
10 Development Plan.

11 MR. FARIS: And if it's not on
12 there, you'll remind me of that.

13 CHAIRMAN KARR: Yes.

14 MR. BEIGEL: Thank you. I say
15 that because the comment that I was going to
16 make is, you know, you drive around or you
17 try to bike around Powell and Liberty
18 Township, you know, if you try and go from
19 community to community, the path ends, right,
20 and it stops and then the kids try and find a
21 way. They've got to go on the road. And so
22 to the extent that we're thoughtful and how we
23 think about it, I know you guys are and
24 appreciate you actually take all the input

1 from the residents, as well as, you know,
2 given different options, I'm sure we'll find
3 the right answer. But really making sure
4 they're connected, it's really important.

5 MR. FARIS: Yeah. No, like I was
6 saying, the last time we were here, once you
7 get over the into the Woodcrest, then you hit
8 those bike paths, they all go underneath the
9 power lines and they go to the South Section
10 Line Road, so you can visit your neighbor
11 without getting in the car.

12 MR. CUCKLER: Absolutely. That's
13 where all the bike plans and all the bike
14 paths over the last several years, they're all
15 starting to connect.

16 MR. BEIGEL: Which is great.
17 Thank you guys for doing the work that you're
18 doing. Thank you.

19 CHAIRMAN KARR: Right. Amy, do
20 you have anything?

21 MS. WILSON: I do not.

22 CHAIRMAN KARR: You do not have
23 anything. Okay. Gentlemen, the snow plow
24 chairman.

1 MR. COFFEE: It's colonel.

2 CHAIRMAN KARR: Colonel, okay.

3 MR. MCCORY: Kevin McCorry, 6022
4 Ludwig Street. You know, I don't mean to be
5 beating a dead horse here, but going back to
6 this one entrance in and out of the
7 subdivision. Has the Fire Department, you
8 know, okayed that? Because if there's some
9 kind of an evacuation, there's no other road
10 really for us to get out of our subdivision
11 other than there. So the people that are in
12 the back of our subdivision, if there's an
13 evacuation, they're going to be trapped back
14 in there and, you know, God forbid, anything
15 would happen.

16 But look what happened over in
17 Maui. Those people, how many people died from
18 that fire there? Not that that's going to
19 happen here, but you never know what's going
20 to happen. I mean, so if we had to evacuate,
21 you're talking both subdivisions. I mean, the
22 back half of the one could go out that way,
23 but the front half and our subdivision, we're
24 all going to be trying to get out that one

1 entrance, or exit there, and you're looking
2 at, what, 100, 150 people trying to evacuate
3 out of there at one time. And you know how it
4 is when you're trying to evacuate, you're
5 going to panic. You're just trying to get out
6 because something is wrong and you have no way
7 to go, so. I mean, I just think there needs
8 to be another egress in and out of that area.
9 Just my thoughts. So, thank you.

10 CHAIRMAN KARR: Okay. I have
11 nothing further. Staci, do you have anything?

12 MS. HOOD: I do not.

13 CHAIRMAN KARR: Julia, do you have
14 anything?

15 MS. DONNAN: No.

16 CHAIRMAN KARR: Kevin.

17 MR. VAUGHN: No.

18 CHAIRMAN KARR: Okay. All right.
19 I will tell you myself, I prefer path C, for
20 what it's worth. And when you look at your
21 Final Development Plan, that north entrance
22 where it becomes private streets, look to put
23 something up there that, you know, guard jacks
24 or you know.

1 MR. FARIS: All right. Yeah.

2 CHAIRMAN KARR: But anyway. And
3 in answer to your question, sir, yes, there
4 was approval by the Township Fire Chief.

5 MR. MCCORY: Since this new
6 development has come about?

7 CHAIRMAN KARR: Yes. Yes.

8 MR. MCCORY: So they're okay with
9 just that have one egress in and out?

10 CHAIRMAN KARR: Well, it's more
11 than one egress because you still have an
12 egress to the north. Okay.

13 MR. MCCORY: No, we don't.

14 CHAIRMAN KARR: Well, you don't
15 right now, but when this is done, you will
16 have another egress to the north. Okay. I
17 mean, you'll go up through the private -- you
18 can go up through the private families. Okay.

19 You know, the fire egress is something that
20 the Fire Department is responsible for and
21 they have agreed on it. I can tell you that
22 any subdivision requires at least two accesses
23 to it. Okay. One of them may be an emergency
24 access only. Okay. But this would qualify

1 because there is an egress in from the north,
2 even though it's through the private, single
3 families, there's also one through from
4 Hyatts. So, when this is done right now,
5 yeah, so.

6 MR. MCCORY: Okay. But until
7 that's done, there's only been one way out and
8 that's it.

9 CHAIRMAN KARR: I don't know.
10 We'd have to go back and look and see what was
11 agreed to. I can't answer that. The EPCON
12 folks may be able to say there's another
13 emergency access point right now. I don't
14 know.

15 MR. COFFEE: I'll look real quick.
16 I think there's a construction entrance right
17 now that's one of yours. They come in here,
18 they got all that. When our stuff is done,
19 that will be the second part of it right now.
20 Right now there's just a construction entrance
21 that comes around here. There's originally an
22 emergency access out here.

23 CHAIRMAN KARR: Okay.

24 MR. COFFEE: The Fire Department

1 said, hey, we can substitute the -- our
2 construction for that.

3 CHAIRMAN KARR: Okay.

4 MR. MCCORY: Where is this Fire
5 Department emergency access at?

6 CHAIRMAN KARR: It's no longer
7 there.

8 MR. COFFEE: It's a construction
9 entrance.

10 MR. MCCORY: Well, that comes
11 straight in off of Gorsuch and goes back
12 through the bean field and then it goes into
13 the subdivision. So it's still, everything is
14 still dumping into Gorsuch there and it's
15 going out onto Hyatts. It's not really
16 another access. I mean, you're basically
17 putting everybody into the same area to get
18 out of the subdivision.

19 CHAIRMAN KARR: Okay.

20 MR. COFFEE: It is where it is
21 now. As far as the Final Development Plan,
22 again, the Fire Department has approved this
23 layout, but we have timing and construction
24 we'll have to work through as well to make

1 sure all that's covered and make sure we don't
2 cover up another access point and provide
3 other -- provide another access as we need to.

4 CHAIRMAN KARR: Okay. Any other
5 comments from anybody, Board, audience?

6 Okay. Given the divergences and
7 other items listed, do I have a Motion to
8 approve the Preliminary Development Plan?

9 MS. HOOD: Joe, do you want to
10 specify how many divergence to be clear at
11 this point, how many are left? Just to make
12 sure it's on record.

13 CHAIRMAN KARR: Okay. For the
14 record, there are -- let the record reflect
15 that there are 12 divergences, as listed in
16 the document provided by the applicant. And
17 there have been four divergences from the
18 original Clarkshaw Reserve approval deleted,
19 as it was approved on April the 8th, 2021.
20 Okay.

21 MS. HOOD: Thank you.

22 CHAIRMAN KARR: Do I have a Motion
23 to approve the Preliminary Development Plan
24 for Clarkshaw Reserve DPV #23-12, per the

1 divergences listed?

2 MR. BEIGEL: I move that we
3 approve them.

4 CHAIRMAN KARR: Do we have a
5 second?

6 MS. VAIS: I'll second.

7 MS. ROBINSON: Ms. Goodson.

8 MS. GOODSON: Yes.

9 MS. ROBINSON: Mr. Karr.

10 CHAIRMAN KARR: Yes.

11 MS. ROBINSON: Ms. Vais.

12 MS. VAIS: Yes.

13 MS. ROBINSON: Ms. Wilson.

14 MS. WILSON: Yes.

15 MS. ROBINSON: Mr. Beigel.

16 MR. BEIGEL: Yes.

17 CHAIRMAN KARR: Okay. Mr. Faris
18 and Mr. Coffee, thank you. Mr. Cuckler, I
19 expect you to have several meetings with the
20 existing EPCON neighbors.

21 MR. CUCKLER: Okay.

22 CHAIRMAN KARR: We're going to
23 take about a five-minute break, if you would
24 like to have a discussion. The second half of

1 the meeting will deal with the Trustees
2 request for a change in the pool fence/pool
3 cover Zoning Code.

4 (Recess taken.)

5 CHAIRMAN KARR: Okay. All right.
6 This is a continuation of the Township Zoning
7 Resolution Amendment as it relates to swimming
8 pools, swimming pool fences and swimming pool
9 covers.

10 As most of you know, I met with
11 Trustee Newell Monday morning for it seemed
12 like a long time, an hour and half, two hours.
13 I don't know. I lost track but anyway, we had
14 a long discussion and Mr. Newell was just as
15 concerned as I was even with the text as it
16 was originally submitted. And he had actually,
17 he had spent some time looking at the
18 auditor's website going through the Township
19 map, counting swimming pools by subdivision.
20 And the total he came up with, and he said, it
21 may be accurate, it may be off, he says, is
22 312 in the Township. The most is Woodland
23 Hall had 42. And if we look at the geographic
24 area from the railroad tracks on the west,

1 Jewett on the north, down to 315 to the County
2 line, there were, let me see here, 43. Okay.

3 He and I had a really good
4 discussion about a lot of this and I told him
5 I would go back and see if I could wordsmith
6 something. And we also received back a
7 commentary from the Regional Planning
8 Commission. They agreed with the pool cover
9 issue. And they did, however, add text as it
10 relates to aboveground pools. So I went back
11 and rewrote, Brian has looked at it, Trustee
12 Newell, rather, has looked at it. He is in
13 agreement with it; although, he feels that,
14 you know, it may be open for discussion on a
15 couple of items that we wrote. But he said he
16 felt it was good, so that's where we're at.
17 That's what I submitted to you guys yesterday
18 or today, I can't remember which day it was.
19 Okay. We did receive one piece of
20 correspondence at around 4:00 this afternoon.
21 I don't know whether you saw it or not from
22 Mr. Fry.

23 MS. ROBINSON: Yes.

24 CHAIRMAN KARR: Okay. So I'm

1 going to use what Brian and I have agreed to
2 as the basis for a starting point tonight.
3 Okay. So if you look at the screen, the red
4 is the items that have been changed or added.
5 The item listed right there was requested by
6 the Regional Planning Commission for
7 aboveground pools. And basically it states,
8 "For aboveground pools, a swimming pool of at
9 least 48 inches high measured from final
10 grade, with a removable ladder or barrier
11 around the ladder, is exempt from the 54-high
12 inch barrier requirement. Non-removable
13 ladders must have a barrier around them,
14 around the ladder capable of self-latching and
15 be self-closing or be secured to prevent
16 access. Removable ladders must be secured as
17 to prevent unauthorized access or use when the
18 pool is not in use. Drawings or other
19 information for this assembly will be required
20 to be submitted at the time of obtaining a
21 swimming pool permit." Okay. That was one
22 that I said, you know, asked for by the
23 Regional Planning Commission and I don't have
24 a problem with it. And we'll check the Board

1 here in a second and see how they feel about
2 it.

3 Starting on the second page,
4 Swimming Pool Cover. This is the area that
5 Brian and I really spent a preponderance of
6 our time together. And what we finalized on,
7 he and I agreed on was, "Fence requirements
8 provided in 714.B does not apply to the
9 following zoning districts where the pool is
10 located on an individually-owned residential
11 parcel equal to or greater than one acre."

12 Okay. And I specified 43,560
13 feet, square feet that should be, for the
14 reason that you can get into the issue of
15 well, my parcel is .95 acres, let's just round
16 it up to one acre. Okay. So that's why we
17 added the square footage so that, you know,
18 there's no discussion about rounding up or
19 anything. It's that square footage.

20 Okay. We listed FR-1, Farm
21 Residential, PR Planned Residential, PMF
22 Planned Multifamily Residential, PERC Planned
23 Early Retirement Resident Community District,
24 PRC Planned Residents Conservancy District and

1 PODs Planned Overlays.

2 What we did agree to is that
3 common-use pools, where more than one resident
4 has access to a centralized pool, regardless
5 of zoning district, such as patio home
6 complexes, condominium complexes, will require
7 pool fences outlined in 714.B Swimming Pool
8 Fences. The logic behind that was if you have
9 a condominium association and they have a
10 community pool and they have a pool cover, and
11 I'm in the pool and I leave, am I responsible
12 for closing it? Okay. Or does somebody from
13 the condominium management company have to
14 make sure it's closed? And so he and I agreed
15 that anything that is common-use pool must
16 still have a fence because we cannot assume
17 that somebody will take responsibility for
18 closing the gap.

19 Next page. "All residential
20 swimming pools, as specified in the above
21 zoning districts, may be installed with a
22 rigid power safety cover that complies with
23 ASTMFF1346, and it is closed when the swimming
24 pool is not in use or supervised by an

1 in-person adult and the following requirements
2 are met: the pool is located behind the rear
3 building line with a residential structure;
4 the pool is not dominantly visible from the
5 street or road; the pool cover must be capable
6 of being closed manually if needed in case of
7 power outage or mechanical failures; the
8 Zoning Department must verify that the pool
9 covers functions as specified upon final pool
10 inspection.

11 Okay. Those are the changes that
12 he and I have basically agreed to. I don't
13 think the Township Legal Department has had a
14 chance to look at this. Have they?

15 MS. DONNAN: Only briefly.

16 CHAIRMAN KARR: Briefly. Do you
17 see anything that gives you an issue?

18 MS. DONNAN: I think there's --
19 nothing that gives me an issue. I think
20 there's a few things that could potentially be
21 tweaked.

22 CHAIRMAN KARR: Okay.

23 MS. DONNAN: My first thought,
24 again, I think the common-use pool kind of

1 exception makes sense. My thought would be to
2 include apartment complexes as well, since it
3 says, "In patio home complexes, condominium
4 complexes, apartment complexes."

5 CHAIRMAN KARR: Okay. Agree.

6 Yeah, we were, as it was submitted, you know,
7 we got to talking about it could apply to
8 motels.

9 MS. DONNAN: Yeah, yeah.

10 CHAIRMAN KARR: I think the only
11 motel we have right now in the Township is
12 being torn down, Circle L.

13 MS. HOOD: Do we need to include
14 golf courses?

15 MS. DONNAN: Would a hotel be
16 permitted in any of these districts?

17 MS. HOOD: The clubhouse at
18 Wedgwood, do you need to -- I'm just thinking
19 of that as an example.

20 CHAIRMAN KARR: Yeah. Could we
21 ask you to try and --

22 MS. DONNAN: Yeah. Tighten it up,
23 yeah.

24 CHAIRMAN KARR: Yeah. Community

1 pools, would that classify as community pool?
2 Because we were even talking about, like, the
3 Powell pool wouldn't require one, the outside
4 pool next door wouldn't require one.

5 MR. VAUGHN: We can put language
6 that says Country Club.

7 MS. DONNAN: Okay.

8 CHAIRMAN KARR: Yeah, you know,
9 whatever we agree to tonight, I still want to
10 review it with you before we go any --

11 MS. DONNAN: Yeah. And I think
12 the sentiment is understood in terms of, it's
13 not a pool that serves one house or one
14 residence.

15 CHAIRMAN KARR: Right.

16 MS. DONNAN: It's, you know, we
17 want to make sure that if a bunch of people
18 from different residences or different places
19 are using the pool, then it needs to be --

20 CHAIRMAN KARR: Yeah, who becomes
21 the person responsible for making sure that it
22 get closed. Okay. And making sure the pool
23 is -- nobody else is in it before they close
24 it.

1 So, okay, Suzanne, Amy, Bonnie.

2 MS. GOODSON: And this is just
3 kind of just questioning not anything here. I
4 think it's pretty understandable. The only
5 thing I was wondering about, why is the fence
6 requirement on second page of that section of
7 red, it seems to me that maybe 7.14.C needs to
8 actually start after that. Because there is
9 not anything in that section that says
10 anything about a pool cover. I mean, it's
11 going on to talk about where something --
12 where a pool was located at and so forth. It
13 doesn't say anything about a -- I don't know,
14 maybe it's just me and the way my brain is
15 thinking. But this swimming pool cover
16 doesn't come in until the third page where it
17 says, "All residential swimming pools as
18 specified in the above zoning districts."

19 CHAIRMAN KARR: Okay.

20 MS. GOODSON: You see what I mean?

21 CHAIRMAN KARR: Yeah, I see
22 exactly what you're saying.

23 MS. GOODSON: So I'm thinking --
24 I'm trying to look at it as a fairly average,

1 run-of-the-mill citizen here that would be
2 looking at trying to because I think I want to
3 put a pool in and that kind of got a little
4 confusing because I go to that and I think,
5 well, wait a minute, this doesn't have
6 anything to do with a pool cover. And it's
7 not until later on.

8 MS. ROBINSON: We can just move
9 that down to -- move the title, the section
10 number down til "all residential pool," that
11 part, the last paragraph."

12 MS. GOODSON: Right. Then it
13 really does talk about a cover.

14 CHAIRMAN KARR: Yeah.

15 MS. GOODSON: So that's just me
16 trying to be organized.

17 MS. DONNAN: Some formatting and
18 some titles, that way it says, okay, this is
19 what we're talking about and then this.

20 MS. GOODSON: I'm thinking, we
21 kind of know what we're talking about here.
22 But this is open to the public and honestly, I
23 keep telling people that ask me questions I
24 said, have you gone and read anything about

1 this? Don't sign anything, don't have
2 somebody do anything until you've checked with
3 the Zoning Department and you've studied what
4 the Code is. And actually, I get them off the
5 telephone calls and they might think about
6 that. And so then it needs to be readable and
7 not just -- nothing against any of you and
8 your things, because otherwise I think it
9 pretty much says what we've been talking
10 about, so.

11 CHAIRMAN KARR: Yeah. It's almost
12 like, you know, we're citing the pool cover
13 according to ASTM F Standard 1346. But unless
14 you go read that document, you don't know what
15 that is. And I don't know right off the top
16 my head if we have swimming pool cover in the
17 definitions.

18 MS. GOODSON: And when you think
19 about a swimming pool cover, anybody can
20 decide to put a swimming pool cover,
21 regardless of where you live.

22 CHAIRMAN KARR: Yeah, we need to
23 find that because, Trustee Newell and I were
24 talking about some of this, you know, the

1 original pool covers were just there, they
2 floated on top. And if somebody fell in, it
3 was like a piece of saran wrap that just stuck
4 around when.

5 MR. BEIGEL: Swimming pool covers
6 aren't in the definitions. We probably should
7 add the -- what we referenced A, whatever the
8 number was.

9 CHAIRMAN KARR: Right.

10 MS. GOODSON: So, okay, so review
11 with me, do me ever say anything about if I
12 decide I'm going to put in a pool and I know I
13 have to have a fence because I've read where I
14 live, I have to have a fence, but I want to
15 cover, too. But I had just Joe Schmo just
16 came to my door and he was selling this new
17 swimming pool cover that sounds really great.
18 Does it matter? I mean, is it spelled out
19 that your swimming pool covers used in Liberty
20 Township must meet these standards?

21 CHAIRMAN KARR: Yeah, it is.

22 MS. GOODSON: Okay. I'm just
23 wanting to know. Because Joe Schmo's looks
24 pretty good and it's cheap.

1 MS. DONNAN: So I think in terms
2 of formatting for the pool cover, and I think
3 most of the information is there but just
4 being moved around, one, obviously defining
5 what is an eligible pool cover, which is
6 referenced as that ASTM, that's the brand.
7 So defining that. Defining the eligible
8 districts, what we're talking about.
9 Discussing the location of the -- which is
10 kind of the C1, C2, C3, C 4, kind of the
11 criteria that has to be met and then probably
12 the last thing being exclusions, being kind of
13 the community pool-type things.

14 MS. GOODSON: Yeah.

15 MS. DONNAN: Okay.

16 MS. GOODSON: Yeah, I think that
17 just, it's just that -- I don't know, my
18 organized brain thinking.

19 MS. WILSON: I do have one
20 question. So, not the pool is not dominantly
21 visible from the street or the road, having
22 just put it up, or we put it in before we put
23 all of our trees clearly you could see it and
24 now you can't. What do we do in that

1 situation, if we have that situation?

2 CHAIRMAN KARR: I think that, you
3 know, it's --

4 MS. WILSON: It would be rare.

5 CHAIRMAN KARR: You can't write a
6 code that's going to address every single
7 situation that's going to occur.

8 MS. DONNAN: That would be a
9 variance.

10 MS. WILSON: I would think you'd
11 have to get a variance. I mean, if our lot or
12 some unique situation lot, I mean, or even if
13 we see it coming in a lot, then we could
14 adjust the codes, but I don't know how we
15 could write --

16 CHAIRMAN KARR: Monday morning
17 Trustee Newell and I, we were scanning across
18 the Township looking at different plots, okay,
19 just to see. Because, you know, we looked at
20 Harvest Point, you know, a lot of those
21 trapezoids, you know, they're just,
22 everything. That's one of the reasons we
23 decided to put in -- put in the square foot
24 because somebody, it's going to be hard --

1 and, by the way, if you go with the Auditor's
2 Office, and Mary Beth might have talked about
3 this on Monday, there are a tremendous number
4 of parcels listed in the Auditor's records
5 where the acreage is zero. There is no
6 acreage reflected because they're platted
7 lots. I'll give you an example. I can't
8 think of the street now, down off of 315.
9 There's a bunch of swimming pools in there.
10 Okay. There's no acreage. They're all Farm
11 Residential, but there's zero acres because
12 they're plated lots.

13 MS. VAIS: So at time of
14 application, they would have to bring in a
15 survey or something showing their exact square
16 footage of their lot?

17 CHAIRMAN KARR: Yes. Yes.

18 MS. VAIS: I had a quick question
19 about the districts that were selected. So, 3
20 and 4, the planned multifamily and then the
21 planned elderly, I mean, is it even possible
22 to have an acre lot in those zoning districts?
23 So I got a little confused why we picked --

24 CHAIRMAN KARR: Well, the reason

1 -- we debated that one, okay, and we decided
2 to just include everything that was
3 residential at the time. Because there are
4 condominiums, like the one, the application we
5 had tonight, the land is one parcel, but there
6 are condominiums where each parcel, each house
7 has its own deeded parcel. Okay. Now whether
8 or not they have enough setback to do it,
9 okay, but there are some where the condominium
10 is on individual's deeded parcels.

11 MS. VAIS: But they'd have to be
12 -- I mean, they'd still have to meet the acre,
13 so w just leave it up to maybe there is that
14 circumstance somewhere.

15 CHAIRMAN KARR: Yeah. And we
16 decided that to say anything that was
17 residential, we just included it. And I
18 appreciate your comments, Julia, about
19 apartments and, you know, golf courses or
20 whatever.

21 MS. DONNAN: And teasing that out
22 a little bit and looking at this language
23 again because it is --

24 CHAIRMAN KARR: Remember, this was

1 a first cut after our discussion.

2 MS. DONNAN: Of course, after a
3 long discussion, no, absolutely. And walking
4 back my initial thought because this relates
5 solely to -- the intention is
6 individually-owned residential parcels and
7 apartment complex isn't necessarily -- that's
8 not necessarily what that is and a community
9 pool and that type of thing. But that's the
10 sort of thing we just really -- that means we
11 just need to make sure that individually-owned
12 residential parcel is truly -- is just as
13 tight as we want it to be.

14 CHAIRMAN KARR: Yeah. Yeah, we
15 got into that because, Trustee Newell and I
16 got into the discussion about multifamily,
17 common lot or individually-deeded lots. And
18 because doubtful you're going to have an acre
19 individually-deed lot, but --

20 MS. DONNAN: Yep, makes sense.

21 CHAIRMAN KARR: Okay. I guess I'm
22 going to ask a process question of Julia and
23 Mary Beth. Do we think with the changes that
24 we've discussed here, even though it isn't in

1 black and white, that we can go and make a
2 Motion on this tonight?

3 MS. DONNAN: I'd leave it to the
4 Commission. There are a couple of ways. Your
5 options are to approve with modifications.
6 You have modifications.

7 CHAIRMAN KARR: Right, plus we
8 have additional.

9 MS. DONNAN: We have additional
10 modifications that haven't truly been sorted
11 out yet.

12 CHAIRMAN KARR: Documented.

13 MS. DONNAN: I think you can
14 certainly table it again and we can really
15 nail down the language.

16 MS. ROBINSON: There's a time to
17 that if you wanted to do that.

18 CHAIRMAN KARR: Yeah, I would. I
19 think I would like to table it again to make
20 sure that we get this thing nailed down before
21 we move it on for regional planning. Okay.

22 MS. DONNAN: Yeah.

23 CHAIRMAN KARR: I mean, you know,
24 the Trustees version has already been there.

1 We've gotten their comments back. I don't
2 think, you know, there's going to be anything
3 they'll deviate from on this.

4 MS. GUZZO: Can I ask a question?

5 CHAIRMAN KARR: If you would,
6 please.

7 MS. GUZZO: Oh, sorry. Peggy
8 Guzzo, 4800 Aberdeen Avenue.

9 MS. DONNAN: Do you swear in for
10 Zoning Amendment comment?

11 MS. ROBINSON: She wasn't sworn
12 in. She came in late.

13 CHAIRMAN KARR: Okay. Do you
14 solemnly swear that the testimony you're about
15 to give will be the truth, the whole truth and
16 nothing but the truth, so help you God? If so
17 please answer I do.

18 MS. GUZZO: I do.

19 CHAIRMAN KARR: That's also what
20 you say when you get married.

21 MS. GUZZO: It is. So again,
22 Peggy Guzzo, for the record, 4800 Aberdeen
23 Avenue. Just procedurally, I apologize, it's
24 been a while. So when you, you know, if you

1 table it tonight, you said that you have to
2 assess for the Regional Planning. when are
3 you anticipating that possibly that you guys
4 would be able to pass it to go to the Board of
5 Trustees?

6 MS. DONNAN: Does it have to go
7 back to Regional Planning?

8 CHAIRMAN KARR: No, it doesn't
9 have to?

10 MS. DONNAN: I don't think it
11 does.

12 CHAIRMAN KARR: Okay. Good, then
13 we're fine.

14 MS. DONNAN: So, in terms of
15 process, again, so the Board does not have to
16 resubmit to Regional Planning -- the Zoning
17 Commission does not to. If you were to table
18 for your next meeting, I imagine it's sometime
19 in September, September 16th, so I think at
20 that point, you'd have more of a finalized
21 version of the language. And then at that
22 point, assuming that version is acceptable to
23 the Zoning Commission, it would then be
24 forwarded on to the Trustees. The Trustees

1 would then accept receipt of the
2 recommendations. They would set it for a
3 public hearing. It would be noticed and that
4 type of thing.

5 CHAIRMAN KARR: So probably
6 October before it would be --

7 MS. DONNAN: Probably, yep. Yeah.

8 CHAIRMAN KARR: What's on the
9 agenda for September, Mary Beth?

10 MS. ROBINSON: Just the 2040.

11 CHAIRMAN KARR: Okay. Then we
12 could do it.

13 MS. ROBINSON: We could do that
14 easily.

15 MS. DONNAN: Yes.

16 CHAIRMAN KARR: Yeah. Don't
17 schedule anything else for that meeting.

18 MS. ROBINSON: Right.

19 MR. VAUGHN: It's the 20th, just
20 for clarification.

21 MS. ROBINSON: Correct. Yes.

22 CHAIRMAN KARR: Yeah, I won't be
23 here then.

24 MS. GUZZO: So September and then

1 the Board of Trustees would have it and then
2 in October.

3 CHAIRMAN KARR: Yeah, I would
4 imagine, yes.

5 MS. GUZZO: And then I think once
6 they get it certified from you, they could
7 just put notice. They could probably take
8 action actually in October, couldn't they?

9 MS. DONNAN: They have to give
10 notice within 30 days of receipt, so yeah, it
11 could be relatively quickly.

12 CHAIRMAN KARR: Yeah, I mean, if
13 it's approved in September, you know, they
14 could be for the latter part of the October
15 meeting.

16 MS. DONNAN: Yeah, October is
17 probably reasonable.

18 CHAIRMAN KARR: I should be back
19 by then, too. I hope.

20 MR. VAUGHN: Which in looking at
21 the schedule, it sounds like it relates a
22 little bit, but my expectation is the -- if it
23 were approved this evening with modifications
24 and with legal review, to get it to the Board

1 of Trustees meets next Monday, the 17th, which
2 we will be able to get that to them by then,
3 then it puts it to we do not have a meeting on
4 the 4th because it's Labor Day, that meeting
5 has been rescheduled for the 6th, I do know
6 that the Chairman will not be there on that
7 day so I would expect that it would be tabled
8 because of his absence. So then it would put
9 it to September 20th. So it would probably be
10 just the same time, maybe two weeks longer if
11 they didn't take action this evening.

12 MS. GUZZO: Okay. All right.

13 Thank you.

14 CHAIRMAN KARR: Okay. I think
15 we'll make a Motion to continue this to the
16 September Zoning Commission meeting.

17 MS. ROBINSON: September 20th.

18 MS. VAIS: I move to table until
19 September - continue. Thank you.

20 MS. WILSON: I'll second.

21 MS. ROBINSON: Mr. Karr.

22 CHAIRMAN KARR: Yes.

23 MS. ROBINSON: Ms. Vais.

24 MS. VAIS: Yes.

1 MS. ROBINSON: Ms. Wilson.

2 MS. WILSON: Yes.

3 MS. ROBINSON: Mr. Beigel.

4 MR. BEIGEL: Yes.

5 MS. ROBINSON: Ms. Goodson.

6 MS. GOODSON: Yes.

7 CHAIRMAN KARR: Yes. Okay. We
8 have one other item I'm going to bring up
9 tonight.

10 MS. ROBINSON: We also have
11 minutes.

12 CHAIRMAN KARR: Right. Okay. One
13 other thing that surfaced this week that, and
14 after talking to Julia tonight, I think I know
15 what happened. Sometime within the past we
16 have removed from the FR-1 Zoning District
17 social clubs. Okay. And I think -- and
18 Trustee Newell and I were talking about this
19 on Monday as it relates to something else.

20 And I could not remember when that
21 was removed out of the Code. And I even did
22 an Adobe search for the words social clubs in
23 the Code. It's not in this. There's not a
24 definition, there's nothing. I think it

1 occurred when we rewrote the Code. Okay.
2 That dealt with adult entertainment. I think
3 that's when it came out. Okay. However, it
4 does create an issue. Okay. If for some
5 reason, you know, the Improved Order of Red
6 Men decided to build a new building. Okay.
7 Or the Lions or any other social club. Okay.
8 We don't even have a definition for it in our
9 definitions. It does not appear anywhere in
10 any of the Code sections. It used to be in
11 FR-1 and I think -- and Staci is pointing her
12 finger at me.

13 MS. HOOD: In the Code that was
14 amended effective December 8th, 2004, because
15 I have that here because of what we were
16 discussing earlier, under FR-1, I, public or
17 private golf courses, country clubs, hunt
18 clubs, sportsman club, fishing, lake or
19 similar recreational uses is listed there.

20 CHAIRMAN KARR: Yeah.

21 MS. DONNAN: In looking at in this
22 version, July 6, 2022, that same section,
23 removes, it does not reference hunting clubs,
24 sportsmen clubs, fishing lakes, or similar

1 recreational uses.

2 CHAIRMAN KARR: And I think that's
3 when we went through and we added everything
4 that had to do with adult entertainment. And
5 I don't know if that's the reason it came out,
6 but I want the Board to think about whether or
7 not we need to somehow write a definition of
8 what social clubs should be. Okay. And
9 figure out because right now, honestly, if
10 Alliance came to us and said we want to build
11 a new club over on Sawmill Parkway, what
12 zoning district do you put it in? You know,
13 where do you put them? It came up as a side
14 discussion Brian and I had Monday morning. We
15 had a lot of side discussion. We didn't talk
16 about you, though.

17 MS. HOOD: So are you asking to
18 have it put back the way it was or just to
19 discuss to have it worded again?

20 CHAIRMAN KARR: I don't know. I
21 want to think about it. Okay. And then maybe
22 -- I'm thinking maybe yes, we do want to go
23 back to that.

24 MS. ROBINSON: Do you want that

1 then in this round?

2 CHAIRMAN KARR: If we could, Mary
3 Beth.

4 MS. ROBINSON: So then do you want
5 that brought up, like, the definition and
6 texts, like, at the September meeting since
7 I'm working on the red line version?

8 CHAIRMAN KARR: Yeah. Yeah. Do
9 you think --

10 MS. WILSON: Would it behoove us
11 to pull the Powell Zoning Codes because they
12 have the private socials club there on the
13 corner? If they've done it, let's not start
14 from scratch.

15 CHAIRMAN KARR: Where at?

16 MS. DONNAN: At the corner of
17 Grace and 750.

18 MS. WILSON: YES. So instead of
19 starting from scratch, maybe pull theirs and
20 see if they have something in their Code.

21 CHAIRMAN KARR: I know exactly.

22 MS. WILSON: And if they don't,
23 I'm sure they're probably working on it, too,
24 because that got put through.

1 CHAIRMAN KARR: Give me a second.

2 MS. GOODSON: So what's the
3 ultimate objective here, though? Where are we
4 going with this?

5 CHAIRMAN KARR: There is a
6 situation that may occur in the next four or
7 five months that -- and I can't really discuss
8 it right now.

9 MS. WILSON: Fair enough.

10 CHAIRMAN KARR: Okay.

11 MS. WILSON: And does it matter if
12 it's private or public?

13 CHAIRMAN KARR: Yeah, we may need
14 to be looking at it. Okay. It's 750 and
15 Grace. Okay.

16 MS. WILSON: Correct.

17 CHAIRMAN KARR: Powell has this
18 really nice feature. They have their zoning
19 map online and it is dynamic. You can zero
20 down to a parcel, click on it and it tells you
21 exactly how it's zoned.

22 MR. VAUGHN: We're working to make
23 those improvements, Mr. Chairman.

24 CHAIRMAN KARR: It is zoned as

1 Downtown Business District. That parcel is
2 zoned as Downtown Business District.

3 MS. WILSON: It's a private social
4 club, that's all I know.

5 MS. VAIS: Because I think we had
6 some issues with, you know, a lot of the -- on
7 Liberty Road, like, the wedding banquet
8 center. I wonder if this came up with that.

9 CHAIRMAN KARR: Yeah, that -- it
10 came up with that.

11 MS. VAIS: Does that match a
12 residential area, per se.

13 CHAIRMAN KARR: And it went in
14 underneath FR-1.

15 MS. VAIS: I know. And I think we
16 were discussing that it doesn't always fit in
17 a residential area. Because a lot of it is a
18 commercial component, as far as traffic. And
19 I don't know, I mean, it's something to think
20 about. I'm not totally sold.

21 CHAIRMAN KARR: If you look at it,
22 the Improved Order of Red Men Club is right
23 there, too, in downtown Hyatts.

24 MS. VAIS: Right. Sure.

1 CHAIRMAN KARR: And one of our
2 Trustees belongs, by the way.

3 MS. VAIS: I mean, right, but
4 that's more of a, I mean, like the central,
5 clustered business there, you know, versus out
6 in the middle.

7 CHAIRMAN KARR: Well, there's only
8 one house --

9 MS. VAIS: I don't know. I mean,
10 I just I want to think about it.

11 CHAIRMAN KARR: Yeah, there's only
12 one house between it and Swan Lake. There's
13 only one residential house between it and Swan
14 Lake.

15 MS. VAIS: I know but you choose
16 slowly to change the character of an area. I
17 think that's how we got to that point.

18 CHAIRMAN KARR: Oh, yeah.

19 MS. VAIS: I don't know. I mean,
20 it's just something to think about because a
21 lot of them do generate traffic, and is it
22 appropriate in residential versus a commercial
23 area?

24 (Discussion off record.)

1 MR. BEIGEL: I have a question.
2 We have the review, the 24th, to do next
3 month?

4 CHAIRMAN KARR: Right.

5 MR. BEIGEL: So last month I
6 believe we approved the roof pitching being
7 different, but that's in conflict with the
8 2040 plan. So, I guess the question is, how
9 do we --

10 CHAIRMAN KARR: The plan is just
11 that, it's just a plan.

12 MR. BEIGEL: Okay. So do we want
13 to -- I guess the point is, do we want to go
14 in preparation for that, kind of go through
15 the 2040 plan and see if there's anything in
16 the zoning that is different and then we can
17 at least have the discussion at that point in
18 time.

19 CHAIRMAN KARR: Well, you know,
20 it's kind of interesting, and I think
21 Berkshire was one that when I looked through
22 the Township Codes, there were several of them
23 than had no-pitch specification. I ran into a
24 couple where the only pitch specification was

1 on manufactured homes, and it was a 3/12
2 pitch. And that was in two or three of them I
3 saw that, but other than that, there was no
4 mention of roof pitch at all.

5 MR. BEIGEL: Okay. I think it's
6 probably just good for us to get their
7 understanding of why they put it in there, you
8 know, to begin with, because they obviously
9 wrote that in there for some reason.

10 CHAIRMAN KARR: Maybe a legacy
11 thing.

12 MR. BEIGEL: It might be legacy.

13 MS. VAIS: Could be or it could be
14 maybe in certain areas we want a roof pitch.
15 I mean, just because the Zoning Code is silent
16 on it doesn't mean the Comprehensive Plan
17 couldn't encourage it in certain areas.

18 MR. BEIGEL: Good point. Okay.

19 MS. VAIS: I mean, I don't know, I
20 mean, I think we get their feedback on that
21 topic.

22 MR. BEIGEL: Yeah. My point is
23 let's get feedback on areas that we see that
24 maybe what they're saying and then what we're

1 trying to support, obviously through zoning
2 and wherever we want to be in the next 20
3 years, that we're somewhat in, you know, in
4 agreement or not in agreement, but just in
5 that --

6 MS. GOODSON: I think that going
7 back 20 years, I think that's probably what
8 drove, you know, people get so far to have a
9 vision because things change. You know, you
10 have a vision and it looks great until
11 somebody, you know, throws a curve, and then
12 all of a sudden the vision begins to change.
13 And so I kind of remember way back from before
14 I was really on the Board that there was a lot
15 of discussion about what it should look like.
16 And I think the pitch of the roof of, you
17 know, took you to a certain architecture maybe
18 or whatever, but I think that's what drove it.

19 MR. BEIGEL: My point only is we
20 ought to bring it up. They did so much to get
21 input from the community, get input from, you
22 know, all the resident in the different areas
23 and somehow through all that, either by
24 omission or whatever the reasoning, it got in

1 purposefully or it didn't, but we ought to
2 bring it up.

3 CHAIRMAN KARR: The one thing I
4 was going to do and I didn't get time before
5 tonight was, I was going to take a look at
6 Jerome Township's Code. It's out in Union
7 County, but look at Jerome Township because
8 they have so many new subdivisions going in,
9 just to see. And I can guarantee you, I've
10 look at some of those places out there, they
11 have a variety of pitches.

12 MS. ROBINSON: So for the Notice
13 that I would send out for that meeting, do you
14 want me to put something like continuation of
15 Zoning Code changes, including pool covers, if
16 you want to talk about this?

17 CHAIRMAN KARR: I'll let --
18 because I won't be here, so.

19 MS. VAIS: Well, how did we leave
20 that? What did we -- so we discussed --

21 MS. ROBINSON: Are we going to be
22 bringing up about the social clubs at the next
23 meeting or are we just doing the pool covers?

24 CHAIRMAN KARR: I'll tell you what

1 I'm going to do is, I'll take a look at --
2 what do you have in Berkshire, Planned
3 Recreational or something?

4 MR. VAUGHN: Yeah, we had Planned
5 Recreational. We also Planned Institutional,
6 which was the church thing that we need to
7 review, but maybe not this round.

8 CHAIRMAN KARR: Yeah. Yeah, I
9 think we ought to take -- yeah, we'll save
10 that for next year. Well, we've got to give
11 the lawyer something to do, you know.

12 MS. DONNAN: Oh, yeah.

13 MS. ROBINSON: I'm just waiting on
14 what you guys want to do. Do you want to just
15 do pool covers or do you want to talk about
16 the social club thing at the next week? Do
17 you want to just do the pool covers?

18 CHAIRMAN KARR: I think we ought
19 to talk about it.

20 MR. VAUGHN: Or do you want to --
21 I mean, you will continuously have, as we all
22 know, that Zoning Resolution as a living
23 document.

24 CHAIRMAN KARR: Oh, God, yes.

1 MR. VAUGHN: Let's put a period on
2 what you've --

3 CHAIRMAN KARR: Yeah, let's go
4 with what we got here.

5 MS. ROBINSON: So I'll just say
6 continuation of the pool covers?

7 CHAIRMAN KARR: Yeah.

8 MS. ROBINSON: And then the --

9 CHAIRMAN KARR: Yeah. It's sort
10 of like I told Brian, it's taking baby steps,
11 just one step at a time.

12 MR. VAUGHN: It never gets to the
13 end.

14 CHAIRMAN KARR: You never get to
15 the end, you know.

16 MS. DONNAN: It goes from changing
17 one thing to, we're changing a complete
18 rewrite.

19 CHAIRMAN KARR: Well, yeah, you
20 know, because he and I were talking about this
21 specific instance with the, you know, the
22 social clubs, and it's like, huh, I don't
23 remember taking that out of there, but now, in
24 talking to Julia and we started looking and

1 it's like, we probably did that at the same
2 time we dumped all the stuff in there about
3 adult entertainment.

4 MS. WILSON: But we're not
5 bringing that back, to clarify?

6 CHAIRMAN KARR: No.

7 MS. WILSON: It's up to you guys.

8 CHAIRMAN KARR: See, I don't think
9 we can do Zoning Codes on --

10 MS. WILSON: I'm going to say no,
11 for the record.

12 MS. VAIS: So I have a question
13 about the 20th meeting. So the other chunk of
14 the Zoning Code changes, were we going to vote
15 on that on the 20th?

16 MS. ROBINSON: Well, if I have
17 them done, have red line version done, but he
18 also wants to run through legal before we then
19 initiate it.

20 MS. VAIS: Okay.

21 MS. ROBINSON: So I think I could
22 have the redline version done and then run it
23 through the legal. Whether or not I'm done by
24 the September 20th, if not then at the next

1 meeting, then that's if everybody didn't have
2 any changes, then you would initiate it, make
3 the Motion to initiate it and then we would
4 send it to the Trustees.

5 MS. VAIS: Okay. Maybe not for
6 September that one. Gotcha.

7 MS. ROBINSON: Right.

8 MS. VAIS: Because it would have
9 to be part of the Notice, right?

10 MS. ROBINSON: Right, right. So
11 I'm thinking that's more October.

12 MS. VAIS: Okay.

13 MS. ROBINSON: So that way you're
14 not rushing -- legal is not rushed.

15 MS. VAIS: Okay. Makes sense.
16 Sounds good.

17 MS. ROBINSON: Do you want to do
18 the minutes?

19 CHAIRMAN KARR: Okay. I have
20 meeting minutes. Do I have a Motion to --

21 MS. ROBINSON: Well, we have
22 three. The first one is June 14, and that is
23 the first discussion -- or continuation of the
24 discussion on solar. And everybody was there

1 but Amy.

2 CHAIRMAN KARR: Okay.

3 MS. GOODSON: She was off
4 gallivanting around the world somewhere.

5 CHAIRMAN KARR: Yeah. And she
6 wouldn't take any of us to carry her
7 suitcases. Okay. Do I have a Motion to
8 approve the meeting minutes of June 14th?

9 MR. BEIGEL: I move we approve the
10 minutes of June 14th.

11 MS. VAIS: I'll second.

12 MS. ROBINSON: Ms. Vais.

13 MS. VAIS: Yes.

14 MS. ROBINSON: Ms. Wilson.

15 MS. WILSON: I abstain.

16 MS. ROBINSON: Mr. Beigel.

17 MR. BEIGEL: Yes.

18 MS. ROBINSON: Ms. Goodson.

19 MS. GOODSON: Yes.

20 MS. ROBINSON: Mr. Karr.

21 CHAIRMAN KARR: Yes.

22 MS. ROBINSON: And then we have
23 the next one is July 19th. Everyone was
24 there. And that was the first hearing on

1 Clarkshaw Reserve and the first hearing on the
2 pool covers.

3 CHAIRMAN KARR: Okay. Do I have a
4 Motion to approve the meeting minutes of July
5 19th?

6 MS. WILSON: I'll make a Motion to
7 approve the minutes of July 19th.

8 MS. GOODSON: I'll second it.

9 MS. ROBINSON: Ms. Wilson.

10 MS. WILSON: Yes.

11 MS. ROBINSON: Mr. Beigel.

12 MR. BEIGEL: Yes.

13 MS. ROBINSON: Ms. Goodson.

14 MS. GOODSON: Yes.

15 MS. ROBINSON: Mr. Karr.

16 CHAIRMAN KARR: Yes.

17 MS. ROBINSON: Ms. Vais.

18 MS. VAIS: Yes.

19 MS. ROBINSON: And then the last
20 one is the August 9th. And that was the
21 continuation of the potential Zoning Code
22 changes and everybody was there.

23 CHAIRMAN KARR: Okay. Do I have a
24 Motion to approve the meeting minutes of

1 August the 9th?

2 MS. GOODSON: I move that we
3 accept those minutes of August the 9th.

4 MS. VAIS: I'll second.

5 MS. ROBINSON: Mr. Beigel.

6 MR. BEIGEL: Yes.

7 MS. ROBINSON: Ms. Goodson.

8 MS. GOODSON: Yes.

9 MS. ROBINSON: Mr. Karr.

10 CHAIRMAN KARR: Yes.

11 MS. ROBINSON: Ms. Vais.

12 MS. VAIS: Yes.

13 MS. ROBINSON: Ms. Wilson.

14 MS. WILSON: Yes.

15 MS. ROBINSON: That's all I have.

16 CHAIRMAN KARR: Okay. Anybody
17 have anything else they wish to discuss?

18 MS. VAIS: No, sir.

19 MR. BEIGEL: I move that we
20 adjourn the meeting.

21 MS. VAIS: I second.

22 CHAIRMAN KARR: I'll fifth that.

23 (Laughter.) Okay.

24 (Thereupon, the proceedings

1 adjourned at 8:55 p.m.)

2

3

- - -

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1 CERTIFICATE

2 The undersigned do hereby certify that
3 the foregoing proceedings were digitally
4 recorded and electronically transmitted by
5 Jennifer Koontz, and transcribed via audible
6 playback, and that the foregoing transcript of
7 such proceedings is a full, true and correct
8 transcript of the proceedings as so recorded.

9 IN WITNESS WHEREOF, I have hereunto set
10 my hand and affixed my seal of office on this
11 11th day of September 2023.

12

13

14

15

16

17

18

Sandra D. Kin



19

20

21

22

23

24

25

Sandra D. Kin,
Registered Professional Reporter,
Certified Digital Reporter,
Certified Digital Transcriber.
Notary Public - State of Ohio.

My Commission expires May 14, 2027.

- - -

Respectfully Submitted:

Liberty Township Zoning Commission

By: Suzanne Vais 9-20-2023
Suzanne Vais, Zoning Commission Vice-Chair Date